

# ***CHAPTER 5: CONSULTATION AND COORDINATION***



## ***PUBLIC INVOLVEMENT AND SCOPING***

During a series of scoping meetings, the NPS requested input from the public, from federal, state, and local agencies, and from park resource specialists on fire management concerns, the types of issues that should be addressed in the EIS, and the range of fire management alternative strategies that should be considered.

On January 27, 2000, a “Notice of Scoping for Fire Management Plan at Point Reyes National Seashore” was published in the Federal Register. On January 29, 2000, at a public meeting of the Point Reyes National Seashore Citizen Advisory Commission, a presentation was given announcing the scoping period for the plan. Scoping comments were solicited from January 27, 2000 to March 28, 2000.

In addition to the Federal Register Notice, the scoping period was publicized through a mass mailing to the public that included background information on the FMP and a notice of a scoping workshop held March 9, 2000. Notices posted in the communities surrounding the park and a notice in the local weekly newspaper, the Point Reyes Light, also advertised the workshop. The two-hour March 9 public scoping workshop was attended by five citizens.

On February 14, 2000 and on February 22, 2000, internal scoping sessions were conducted to identify staff issues and concerns. These meetings were attended by an interdisciplinary group of resource and fire specialists from the PRNS and GGNRA staff.

On March 28, 2000, a two-hour scoping session was held for local fire agencies. In addition to representatives of the NPS Fire Management Office, members of the Marin County Fire Department, Inverness Volunteer Fire Department, California State Parks, and Marin Municipal Water District were in attendance. Also invited, but not attending, were the Marin County Open Space District, Bolinas Fire Protection District, Nicasio Volunteer Fire Department, and Stinson Beach Fire Department.

In spring of 2001, the NPS conducted a two-hour meeting to provide an overview to the Marin County Fire Department of the preliminary alternatives, and consulted on possible changes and/or modifications.

The Federated Indians of Graton Rancheria are being consulted for compliance with the Native American Graves Protection and Repatriation Act.

## ***COMPLIANCE STATUS***

Documentation of NPS compliance with federal and state laws and regulations is incorporated into the text of the DEIS. Compliance with the nine major federal laws, executive orders, and associated state regulations is summarized here.

National Environmental Policy Act (NEPA) of 1970. PL 91-190, 83 Stat. 852, 42 USC §4341 et seq. The DEIS provides disclosure of the planning and potential environmental consequences of the proposed action and alternatives, as required by NEPA. The DEIS will be made available for

public review and comment for 60 days. Agency and public comments will then be considered, the draft plan will be reviewed and revised in light of those comments, and a final fire management plan and environmental impact statement will be published, which will respond individually or through summaries to all substantive comments. A record of decision will be published 30 days following publication of the final plan and environmental impact statement. At that time, the plan will be implemented.

Endangered Species Act of 1973, as amended, PL 93-205, 87 Stat. 884, 16 USC §1531 et seq. The Endangered Species Act protects threatened and endangered species, as listed by the U.S. Fish and Wildlife Service, from unauthorized take, and directs federal agencies to ensure that their actions do not jeopardize the continued existence of such species. Section 7 of the act defines federal agency responsibilities for consultation with the U.S. Fish and Wildlife Service and National Marine Fisheries Service (for fish) and requires preparation of a Biological Assessment to identify any threatened or endangered species that is likely to be affected by the proposed action. The National Park Service initiated consultation on February 9, 2001 and continues consultation with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service.

Archeological Resources Protection Act of 1979, PL 96-95, 93 Stat. 712, 16 USC §470aa et seq. and 43 CFR 7, subparts A and B, 36 CFR. This act secures the protection of archeological resources on public or Indian lands and fosters increased cooperation and exchange of information between private, government, and the professional community in order to facilitate the enforcement and education of present and future generations. It regulates excavation and collection on public and Indian lands. It requires notification of Indian tribes who may consider a site of religious or cultural importance prior to issuing a permit. The NPS will meet its obligations under this Act in all activities conducted in the Fire Management Plan.

National Historic Preservation Act of 1966, as amended, PL 89-665, 80 Stat. 915, 16 USC §470 et seq. and 36 CFR 18, 60, 61, 63, 68, 79, 800. The National Historic Preservation Act requires agencies to take into account the effects of their actions on properties listed in or eligible for listing in the National Register of Historic Places. The Advisory Council on Historic Preservation has developed implementing regulations (36 CFR 800), which allow agencies to develop agreements for consideration of these historic properties. The NPS, in consultation with the Advisory Council, the California State Historic Preservation Officer (SHPO), American Indian tribes, and the public has developed a Programmatic Agreement for operations and maintenance activities on historic structures. This Programmatic Agreement provides a process for compliance with National Historic Preservation Act, and includes stipulations for identification, evaluation, treatment, and mitigation of adverse effects for actions affecting historic properties. The NPS sent a scoping notice to the state historic preservation officer and the Advisory Council for Historic Preservation to initiated consultation. Consultation will continue throughout the planning process.

American Indian Religious Freedom Act, PL 95-341, 92 Stat. 469, 42 USC §1996. This act declares policy to protect and preserve the inherent and constitutional right of the American Indian, Eskimo, Aleut, and Native Hawaiian people to believe, express, and exercise their traditional religions. It provides that religious concerns should be accommodated or addressed

under NEPA or other appropriate statutes. The National Park Service, as a matter of policy, will be as nonrestrictive in permitting Native American access to and use of an identified traditional sacred resource for traditional ceremonies.

Executive Order 11988: Floodplain Management. This Executive Order requires federal agencies to avoid, to the extent possible, adverse impacts associated with the occupancy and modification of floodplains, and to avoid development in floodplains whenever there is a practical alternative. If a proposed action is found to be in the applicable regulatory floodplain, the agency shall prepare a floodplain assessment, known as a Statement of Findings. All of the actions proposed in the Fire Management Plan are consistent with this executive order.

Executive Order 11990: Protection of Wetlands. This Executive Order established the protection of wetlands and riparian systems as the official policy of the federal government. It requires all federal agencies to consider wetland protection as an important part of their policies and take action to minimize the destruction, loss or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands. All of the actions proposed in the Fire Management Plan are consistent with this executive order

Executive Order No. 13112: Invasive Species. This Executive Order prevents the introduction of invasive species and directs federal agencies to not authorize, fund, or carry out actions that it believes are likely to cause or promote the introduction or spread of invasive species. Actions proposed in the DEIS include measures to prevent the introduction and spread of invasive species.

California Coastal Zone Management Act. This act protects coastal environments. While this act transferred regulatory authority to the States and excluded federal installations from the definition of the “coastal zone,” it requires that federal actions be consistent with state coastal management plans. Activities taking place within the coastal zone under the definition established by the California Coastal Management Plan require a federal consistency determination. The DEIS will be submitted to the Coastal Commission for federal consistency determination.

## ***LIST OF PREPARERS***

Dawn Adams, Inventory and Monitoring Coordinator, BS, General Biology, University of Illinois.

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## ***LIST OF CONSULTANTS***

URS

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Chris Johnson, Air Quality

Heidi West, Ph.D., Total Quality NEPA

## ***PARTICIPATING GOVERNMENTAL AGENCIES***

List of Agencies and Organizations to Whom Copies or Notice of the Draft Environmental Impact Statement are Being Sent

### ***Federal Agencies***

U. S. Army Corps of Engineers

U. S. Coast Guard

U. S. Department of Commerce National Oceanic and Atmospheric Administration

U. S. Geological Service

U. S. Fish and Wildlife Service

U. S. Natural Resources Conservation Service

U. S. National Marine Fisheries

### ***Federal Advisory Groups***

Advisory Council for Historic Preservation

### ***Elected Officials***

California State Assemblyperson Joe Nation

California State Senator John Burton

Marin County Supervisor Steve Kinsey  
U. S. Representative Lynn Woolsey  
U. S. Senator Barbara Boxer  
U. S. Senator Dianne Feinstein

***State Agencies***

Bay Area Air Quality Management District  
Bodega Marine Lab  
California Coastal Commission  
State of California Department of Environmental Science  
State of California Department of Fish and Game  
State of California Department of Parks and Recreation  
State of California Department of Transportation  
State of California Office of Planning and Resources State Clearinghouse  
State Historic Preservation Office  
University of California, Berkeley  
University of California Cooperative Extension

***Regional, County, and Municipal Agencies***

Bolinas Fire Department  
Bolinas Community Public Utility District  
Inverness Fire Department  
Marin Humane Society  
Marin County Community Development Agency  
Marin County Fire Department  
Marin County Open Space  
Marin County Planning and Acquisition  
Marin County Sheriff's Department  
Marin County Resource Conservation District  
Marin Municipal Water District  
Nicasio Fire Department  
San Francisco Regional Water Quality Control Board  
Sonoma County Agriculture Preservation and Open Space District  
Sonoma County Water Agency

***Non-Governmental Organizations, Non-Profit Organizations, etc.***

Animal Protection Institute  
Audubon Canyon Ranch & Cypress Grove Preserve  
Bay Area Ridge Trail Council  
Bay Institute  
Bayrose Morgans  
Bicycle Trails Council  
Bolinas Community Parks Planning  
California Native Plant Society  
Coastwalk  
Committee for the Preservation of Tule Elk

Defenders of Wildlife  
East Shore Planning Group  
Environmental Action Committee of West Marin  
Environmental Forum of Marin  
Federated Indians of Graton Rancheria  
Friends of the Estero  
Gardener's Guild  
In Defense of Animals  
Inverness Association  
Inverness Ridge Association  
Marin Agricultural Land Trust  
Marin Audubon Society  
Marin Conservation League  
Marin County Farm Bureau  
Marin Horse Council  
Mow Our Weeds  
National Parks and Conservation Association  
National Trust for Historic Preservation  
North American Trail Ride Conference  
Point Reyes Bird Observatory  
Point Reyes Light  
Point Reyes Village Association  
Preserve Historic Olema Valley  
Sierra Club, Marin Group  
Sonoma Horse Council  
Sonoma County Farm Bureau  
Sustainable Conservation  
Tomales Bay Advisory Committee  
Trout Unlimited  
Trust for Public Lands  
Vedanta Society  
Waste Watch  
West Marin Chamber of Commerce  
West Marin Community Radio  
West Marin Paths  
Wilderness Society

### ***Libraries***

Bolinas Library  
Inverness Library  
Marin County Library  
Point Reyes Library  
Stinson Beach Library

The plan will be placed on the Point Reyes National Seashore website at [www.nps.gov/pore/planning](http://www.nps.gov/pore/planning). A notice will be mailed to all individuals that have indicated interest in PRNS planning and management activities.